

PATENT -- AMENDMENT AFTER FINAL
Response Under 37 CFR 1.116--Expedited
Procedure - Examining Group 2176

REMARKS

In the Office Action dated August 14, 2006, the Examiner: (i) rejected claims 16-21 under 35 U.S.C. § 101 as directed to non-statutory subject matter; (ii) rejected claims 1, 7-11, and 13-21 under 35 U.S.C. § 102(b) as anticipated by Munro et al, US 2002/0089549; (iv) rejected claims 5-6 under 35 U.S.C. 103(a) as unpatentable over Munro et al., US 2002/0089549 in view of Miller, et al. US 2005/0185055 A1; and (v) rejected claims 2-4 and 12 under 35 U.S.C. 103(a) as unpatentable over Munroe, et al, US 2002/00895490 A1, in view of Tucker et al 2004/00490598 A1.

In this Response, Applicant has rewritten claims 19 and 21 in independent form, and canceled claims 13-18 and 20. Claims 1-12, 19, and 21 will be pending after entry of this Amendment.

I. Rejections under Section 101

The Examiner rejected claims 16-21 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. In response, Applicant has amended claims 19 and 21 to recite the word “tangible.” Claims 16-18 and 20 have been canceled.

II. Rejections under Section 102

The Examiner rejected claims 1, 7-11, and 13-21 under 35 U.S.C. § 102(b) as anticipated by Munro et al, US 2002/0089549, citing paragraphs [0049]-[0050] as showing the claimed “multi-image file comprising a plurality of images adapted for cooperative display.”

Applicant respectfully traverses. The Munro publication generally describes a browser plug-in that displays multiple bitmap images. In order to display those images,

however, the plug-in has to individually receive them from the server. The two paragraphs cited by the Examiner add that the images are stored on the server more than one resolution. Multiple resolutions of the same image, however, are not “adapted for cooperative display,”¹ and certainly do not “comprise complementary layers”² nor “overlay[] the primary image.”³ Instead, the browser plug-in described in Munro will either display the high resolution image or the low resolution image. In contrast, in the claimed multi-image files:

the secondary images 204-206 may be displayed together with the primary image 202 or another secondary image 204-206 to form a combined image, displayed individually in place of the primary image 202, or some combination thereof. That is, the primary image 202 and secondary images 204-206 may be displayed together as complementary layers, as alternative versions of the same image, or a combination of cooperative and alternative elements.

Specification, page 5, lines 5- 10.

Because Munro fails to teach at least one element of each claim, Applicant respectfully submits that Munro fails to anticipate the claimed inventions.

III. Rejections under Section 103

As discussed in Section II, Munro fails to teach or suggest multi-image file comprising a plurality of images adapted for cooperative display. Miller also fails to

¹ Claim 1 (“receiving a multi-image file, the multi-image file comprising a plurality of images adapted for cooperative display”) and Claim 9 (“a multi-image file, the multi-image file comprising a plurality of images including a primary image and at least one secondary image adapted for cooperative display”).

² • Claim 19 (“receiving a multi-image file, the multi-image file comprising a plurality of images including a primary image and at least one secondary image, wherein the primary image and the at least one secondary image comprise complementary layers”).

³ • Claim 21 (“receiving a multi-image file, the multi-image file comprising a plurality of images including a primary image and at least one secondary image, wherein the at least one secondary image overlays the primary image”).

teach these elements. Instead, Miller is directed at a method of customizing a digital camera to accommodate user preferences, such as color background, icons and names. However, Miller does not describe how the resulting images will be stored and transmitted, other than brief references to the PCMCIA, compact flash, memory stick, and JPEG standards.

Tucker similarly fails to teach multi-image file comprising a plurality of images adapted for cooperative display. Instead, Tucker is directed at a content delivery system that utilizes editing, caching and compressing to speed the delivery of content from a network, such as the Internet, while conserving bandwidth usage. Although Tucker discusses transcoding files, it does not teach or suggest transcoding into files containing a plurality of independent images adapted for cooperative display.

Because none of the references teach or suggest at least one claim element, Applicant respectfully submits that proposed combination fails to obviate the claimed inventions.

IV. Fees

Applicants do not believe that any fees are associated with this Response . However, the Patent Office is authorized to charge any fees, or credit any overpayments, to deposit account 09-0465.


V. Conclusion

Applicant believes that the present application is in condition for allowance and requests that the Office issue a Notice of Allowance. If the Examiner, upon considering this amendment, thinks that a telephone interview would be helpful in expediting

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allowance of the present application, he/she is respectfully urged to call the Applicant's attorney at the number listed below.

Respectfully submitted,

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